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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/714,917 | 11/18/2003 | Yasuhiro Mori | 2003_1662A | 5136 |
| 513 7590 06/02/2008 WENDEROTH, LIND & PONACK, L.L.P. 2033 K STREET N. W. SUITE 800 WASHINGTON, DC 20006-1021 | | | | |
| EXAMINER | | | | |
| TEKLE, DANIEL T | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 2621 | | | | |
| MAIL DATE | | DELIVERY MODE | | |
| 06/02/2008 | | PAPER | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/714,917

Applicant(s)

MORI ET AL.

Examiner

DANIEL TEKLE

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) 1-40 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claim 1-26, 28-40, drawn to a short film generation/reproduction apparatus for generating video using at least one still picture and reproducing said video, comprising: a database unit operable to store at least one still picture, a picture feature indicating a feature of said at least one still picture, a style indicating an outline of the video to be generated, a style feature indicating a feature of said style, music, and a musical feature indicating a feature of said music; a selection unit operable to select one of the following elements to be used when generating the video: said at least one still picture; the music; and the style; a feature reading unit operable to read out, from the database unit, the feature corresponding to the element selected by the selection unit, the feature being one of the picture feature, the musical feature, and the style feature; a feature conversion unit operable to convert the feature read out by the feature reading unit into the other features; a determination unit operable to determine the elements to be used to generate the video other than the element selected by the selection unit, based on said other features converted by the feature conversion unit; and a scenario generation unit operable to generate a scenario of the video, based on the element selected by the selection unit and the other elements determined by the determination unit.
- II. Claim 27, drawn to short film generation/reproduction apparatus for generating video using at least one still picture and reproducing said video, comprising: an operation unit operable to operate the short film generation/reproduction apparatus and

a display device for displaying the video, the display device being connected to said short film generation/reproduction apparatus; and a short film reproduction unit operable to modulate a signal obtained by reproducing the video into an RF signal so as to output said RF signal, and start reproducing the video when a predetermined button is pressed down, the button being included in the operation unit and being assigned the RF signal.

The inventions are distinct, each from the other because of the following reasons:

Invention I and II is distinct each from the other. Invention I is a generation/reproduction apparatus comprising: a database unit operable to store still picture data while invention II is a short film reproduction unit operable to modulate a signal by obtained by reproduction the video into an RF signal.

Therefore because these invention are independent or distinct for the reasons given above and have acquired a separate status in the art in view of their differences, restriction for examination purpose as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traverse (37 CFR 1. 143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL TEKLE whose telephone number is (571)270-1117. The examiner can normally be reached on 7:30am to 5:00pm M-R and 7:30-4:00 Every other Friday..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on 571-272-7905. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marsha D. Banks-Harold/
Supervisory Patent Examiner, Art Unit 2621
/Daniel Tekle/
Examiner, Art Unit 2621